

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES FLOYD, JR.,

Plaintiff

v.

CHAD LIBBY, *et al.*,

Defendants

Civil No. 3:18-cv-2041

(Judge Munley)

FILED
SCRANTON

NOV 29 2018

PER 
DEPUTY CLERK

ORDER

AND NOW, to wit, this 29th day of November 2018, upon consideration of Plaintiff's complaint (Doc. 1) and accompanying motion for leave to proceed *in forma pauperis* (Docs. 2, 7), and for the reasons set forth in the Court's Memorandum of the same date, it is hereby ORDERED that:

1. Plaintiff's motions (Docs. 2, 7) for leave to proceed *in forma pauperis* are GRANTED; Plaintiff's complaint is DEEMED filed.
2. The Clerk of Court is directed to ISSUE the Administrative Order to the Warden at Plaintiff's present place of incarceration
3. Plaintiff's complaint is DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
4. The Clerk of Court is directed to CLOSE this case.
5. Any appeal from this Order is DEEMED frivolous and not taken in good faith. 28 U.S.C. § 1915(a)(3).

BY THE COURT:

s/James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court